

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:19-cv-717-MOC**

MISHELLE LOZANO LOCKERBY,

Plaintiff,

v.

CROSS POINT PARTNERS, LLC, et al.,

Defendants.

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ORDER

THIS MATTER is before the Court on its own motion in light of the Notice of Supplementary Authority, filed by Plaintiff on February 3, 2023. This Court previously stayed this action in light of a pending appeal in Bass v. Weinstein Management Co., 1:20cv916, 2021 WL 4078507 (M.D.N.C. Sept. 8, 2021) in the Fourth Circuit Court of Appeals. (Doc. No. 64).

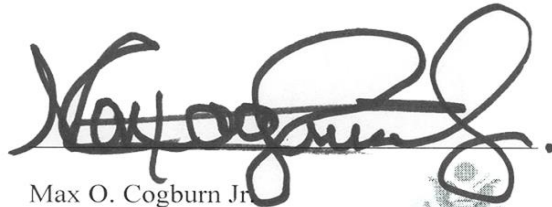
Plaintiff asserts in the Notice of Supplementary Authority that the Fourth Circuit Court of Appeals has issued a ruling and mandate in Bass v. Weinstein Management Co., 56 F.4th 355 (4th Cir. 2022). In the Notice, Plaintiff requests an order from the Court requiring supplemental briefing on the pending judgment on the pleadings in this case in light of Bass.

The Court will allow supplemental briefing by each party not to exceed five pages to address the impact of Bass on the pending motion for judgment on the pleadings in this case. Plaintiff's brief shall be due within 30 days of entry of this Order, and Defendant's brief shall be due within 20 days of the filing of Plaintiff's brief.

The Court furthermore hereby **LIFTS** the **STAY** in this case since the stay was ordered pending the outcome of the decision in Bass.

IT IS SO ORDERED.

Signed: March 10, 2023



Max O. Cogburn Jr.
United States District Judge